

**AMENDED**  
**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER**  
**OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF**  
**NEVADA HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~JAN 28 2004~~ OCT 25 2007

Returned to applicant for correction FEB 13 2004

Corrected application filed MAR 08 2004

Map filed MAR 12 2004

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The applicant **David Gibson**, hereby makes application for permission to change the **Point of Diversion of a Portion** of water heretofore appropriated under Permit 32372

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1. The source of water is **Underground**
2. The amount of water to be changed **2.6 c.f.s. (1,167 gal/min) \*(see remarks)**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **within the NE¼ NW¼ of Section 31, T10N, R61E, MDM, at a point from which the NW Corner of said Section 31 bears N 87°49'09" W a distance of 1,949.70 feet. \*(2.6 cfs to be diverted from this source)**
6. The existing permitted point of diversion is located within within Govt. Lot 1, Section 31, T10N, R61E, MDM, at a point from which the NW Corner of said Section 31 bears N 42°08'38" W a distance of 140.60 feet (actual location) (1.40 cfs will be retained at this existing POD.) at a point from which the NW corner of said Section 31 bears N 45° W a distance of 282.84 feet (record location).
7. Proposed place of use **No Change**
8. Existing place of use **NW¼ of Section 31, T10N, R61E, MDM**
9. Use will be from **JANUARY 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **16" well with casing drill to supply a revolving pivot. Westerly well is 200' & Easterly is 200' in depth**
12. Estimated cost of works **\$40,000.00**
13. Estimated time required to construct works **1 Year (Wells & supply lines to serve pivot are in place.)**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **\*The original well, drilled on the Westerly side of the NW¼, was found to produce insufficient water to operate the mobile pivot and irrigate the full acreage. With the second well also attached to the pivot, there will be sufficient water to operate. We purpose to co-mingle the wells to allow proper gallons to serve the pivot. These two sources will serve the same pivot.**

By **Frank C. Hulse (Agent)**  
**s/Frank C. Hulse**  
**Box 510**  
**Pioche, Nevada 89043-0510**

Compared cmf/sam lt/gk1  
Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 32372 is issued subject to the terms and conditions imposed in said Permit 32372 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 32372 and Permit 70847 shall not exceed 598.16 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The area irrigated under Permit 32372 and Permit 70847 shall be limited to 149.54 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.6 cubic feet per second, but not to exceed 388.80 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 16, 2006

Proof of completion of work shall be filed on or before:

May 16, 2006

Water must be placed to beneficial use on or before:

April 16, 2007

Proof of the application of water to beneficial use shall be filed on or before:

May 16, 2007

Map in support of proof of beneficial use shall be filed on or before:

May 16, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 9th day of June A.D. 2005

  
\_\_\_\_\_  
State Engineer


Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED OCT 03 2007 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT~~

~~ STATE ENGINEER  
Can. Rescinded 6-2-2008~~